

## § 97.75

add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of part 75 of this chapter and the substitute values do not systematically underestimate NO<sub>x</sub> emissions; and

(iii) For a unit that is reporting on a control period basis under paragraph (d)(2)(ii) of this section, the NO<sub>x</sub> emission rate and NO<sub>x</sub> concentration values substituted for missing data under subpart D of part 75 of this chapter are calculated using only values from a control period and do not systematically underestimate NO<sub>x</sub> emissions.

## § 97.75 Petitions.

(a) The NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> Budget unit may submit a petition under § 75.66 of this chapter to the Administrator requesting approval to apply an alternative to any requirement of this subpart.

(b) Application of an alternative to any requirement of this subpart is in accordance with this subpart only to the extent that the petition is approved by the Administrator under § 75.66 of this chapter.

## § 97.76 Additional requirements to provide heat input data.

The owner or operator of a NO<sub>x</sub> Budget unit that monitors and reports NO<sub>x</sub> mass emissions using a NO<sub>x</sub> concentration system and a flow system shall also monitor and report heat input rate at the unit level using the procedures set forth in part 75 of this chapter.

## Subpart I—Individual Unit Opt-ins.

### § 97.80 Applicability.

A unit that is in a State (as defined in § 97.2), is not a NO<sub>x</sub> Budget unit under § 97.4(a), is not a unit exempt under § 97.4(b), vents all of its emissions to a stack, and is operating, may qualify to be a NO<sub>x</sub> Budget opt-in unit under this subpart. A unit that is a NO<sub>x</sub> Budget unit under § 97.4(a), is covered by an exemption under § 97.4(b) or § 97.5 that is in effect, or is not operating is not eligible to be a NO<sub>x</sub> Budget opt-in unit.

## 40 CFR Ch. I (7–1–00 Edition)

### § 97.81 General.

Except otherwise as provided in this part, a NO<sub>x</sub> Budget opt-in unit shall be treated as a NO<sub>x</sub> Budget unit for purposes of applying subparts A through H of this part.

### § 97.82 NO<sub>x</sub> authorized account representative.

A unit for which an application for a NO<sub>x</sub> Budget opt-in permit is submitted, or a NO<sub>x</sub> Budget opt-in unit, located at the same source as one or more NO<sub>x</sub> Budget units, shall have the same NO<sub>x</sub> authorized account representative as such NO<sub>x</sub> Budget units.

### § 97.83 Applying for NO<sub>x</sub> Budget opt-in permit.

(a) *Applying for initial NO<sub>x</sub> Budget opt-in permit.* In order to apply for an initial NO<sub>x</sub> Budget opt-in permit, the NO<sub>x</sub> authorized account representative of a unit qualified under § 97.80 may submit to the Administrator and the permitting authority at any time, except as provided under § 97.86(g):

(1) A complete NO<sub>x</sub> Budget permit application under § 97.22;

(2) A monitoring plan submitted in accordance with subpart H of this part; and

(3) A complete account certificate of representation under § 97.13, if no NO<sub>x</sub> authorized account representative has been previously designated for the unit.

(b) *Duty to reapply.* Unless the NO<sub>x</sub> Budget opt-in permit is terminated or revised under § 97.86(e) or § 97.87(b)(1)(i), the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> Budget opt-in unit shall submit to the Administrator and permitting authority a complete NO<sub>x</sub> Budget permit application under § 97.22 to renew the NO<sub>x</sub> Budget opt-in permit in accordance with § 97.21(c) and, if applicable, an updated monitoring plan in accordance with subpart H of this part.

### § 97.84 Opt-in process.

The permitting authority will issue or deny an initial NO<sub>x</sub> Budget opt-in permit for a unit for which an application for a NO<sub>x</sub> Budget opt-in permit under § 97.83 is submitted, in accordance with § 97.20 and the following:

(a) *Interim review of monitoring plan.* The Administrator will determine, on